

Technical Amendments

Amendment A

Bill Proposal:

There are two parts to this amendment:

- 1) Amend Government Code section 89513(a)(3) to replace an obsolete reference to section 84211(j)(7) with a general reference to section 84211.
- 2) Amend Government Code section 89511.5(c) to replace an obsolete reference to section 84211(j) with the correct reference to section 84211(k).

Problem and Proposed Solution:

1) Government Code section 84211 was amended in 2000 to repeal what was then subdivision (j)(7) requiring detailed reporting of expenditures for travel of a candidate and members of the candidate's household. As a result, section 84211(j)(7) no longer exists. However, section 89513(a)(3) still refers to subdivision (j)(7) for reporting travel payments.

This proposal would delete the reference to section 84211(j)(7) that currently exists in section 89513(a)(3), and leave the general reference to section 84211.

2) When Government Code section 84211 was amended in 2000, it also added a subdivision above subdivision (j). This resulted in a re-ordering of the subdivisions that previously existed in place of and immediately following the place where the addition was made. As a result, subdivision (j) became subdivision (k). However, section 89511.5(c) still refers incorrectly to subdivision (j).

This proposal would amend section 89511.5(c) to refer to section 84211(k), the correct subsection.

Bill Language:

§ 89513(a)(3)

(3) Whenever campaign funds are used to pay or reimburse a candidate, elected officer, his or her representative, or a member of the candidate's household for travel expenses and necessary accommodations, the expenditure shall be reported as required by ~~paragraph (7) of subdivision (j)~~ of Section 84211.

(The rest of § 89513 will remain as currently written.)

§ 89511.5(c)

(c) When the elected officer's controlled committee is notified that expenditures totaling one hundred dollars (\$100) or more in a fiscal year have been made by the incumbent elected officer, the committee shall report, pursuant to subdivision ~~(j)~~ (k) of Section 84211, the expenditures on the campaign statement for the period in which the expenditures were made and the reimbursements on the campaign statement for the period in which the reimbursements were made.

(The rest of § 89511.5 will remain as currently written.)

Amendment B

Bill Proposal:

Amend Government Code section 84605 to delete a duplicative mention of officeholder accounts and eliminate an obsolete reference to a repealed provision (section 85313).

Problem:

Government Code section 84605 includes a reference to “officeholder accounts, as defined by section 85313.” This reference was included to ensure that officeholder account funds were considered in determining whether a candidate has reached the \$50,000 threshold that triggers online reporting. When section 84605 was added, section 85313 defined officeholder accounts. However, section 85313 was repealed by Proposition 34. Therefore, this reference to 85313 is now obsolete.

In addition, even without the words, “officeholder accounts” in section 84605, officeholder account funds must be considered in determining the cumulative amount of funds to trigger online reporting. This is because officeholder accounts would fall under the definition of “controlled committee,” which is also currently included in section 84605.

Proposed Solution:

This proposal would strike the reference in section 84605 to officeholder accounts and section 85313.

Bill Language:

§ 84605. Who Shall File Online.

Beginning on July 1, 2000, and for all applicable reporting periods thereafter, the following persons shall file online or electronically with the Secretary of State:

(a) Any candidate, including appellate court and Supreme Court candidates and officeholders, committee, or other persons who are required, pursuant to Chapter 4 (commencing with Section 84100), to file statements, reports, or other documents in connection with a state elective office or state measure, provided that the total cumulative reportable amount of contributions received, expenditures made, loans made, or loans received is fifty thousand dollars (\$50,000) or more. In determining the cumulative reportable amount, all controlled committees, as defined by Section 82016, ~~and officeholder accounts, as defined by Section 85313,~~ shall be included. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that is first subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title. A committee, as defined in subdivision (c) of Section 82013, shall file online or electronically if it makes contributions of fifty thousand dollars (\$50,000) or more in a calendar year.

(The rest of § 84605, which includes subsections (b) through (j), will remain as currently written.)